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BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

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IN THE MATTER OF THE	:	JOINT MOTION AND
PETITION FILED BY THE	:	STIPULATION TO SECOND
DIVISION OF OIL, GAS AND MINING	:	AMENDMENT OF THE FINDINGS
FOR AN ORDER REQUIRING	:	OF FACT, CONCLUSIONS OF LAW
IMMEDIATE RECLAMATION OF THE	:	AND ORDER
GROUSE CREEK QUARRY FROM	:	
UTAH BUILDING STONE SUPPLY,	:	DOCKET NO. 97-016
BOX ELDER COUNTY, UTAH.	:	CAUSE NO. M/003/031

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In the above-captioned matter, the Board of Oil, Gas & Mining (the "Board") entered that certain "FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER TO RECLAIM OR TO POST AN INTERIM SURETY" ("Board Order") on September 26, 1997. On October 14, 1997, The Division received a request for an extension of the time period for compliance by William and Preston Bown ("the Bowns") with the Board Order. The Division ("the Division") found the reason for this request, the death of an immediate family member, compelling and supported the Bowns' request. On October 15, 1997, the Board granted this amendment to the Board Order ("First Amendment").

The Division has since received a request for an extension of time from the Bowns. The Division has verified that the Barnes Banking Company is processing an application by the Bowns for a letter of credit as surety for the Grouse Creek Quarry. (EXHIBIT A). The Bowns have provided a letter to the Division and the Board explaining their need for an extension. (EXHIBIT B). Thus, the Division is willing to support the request from the Bowns for an extension of time. William Bown has signed the stipulation in both his individual capacity and as a partner with Preston Bown in Utah Building Stone Supply.

## STIPULATION

The DIVISION and the Bowns HEREBY STIPULATE AND AGREE to amend the "FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER TO RECLAIM OR TO POST AN INTERIM SURETY", dated September 26, 1997 and the First Amendment as follows:

1. The time period for compliance is amended as follows: By no later than 4 p.m. in Salt Lake City on Wednesday, November 12, 1997, William Bown and Preston Bown shall, to the satisfaction of the Division, post an interim reclamation surety bond (e.g., cash deposit, certificate of deposit, corporate surety bond) in the exact amount of \$12,500.
2. The parties agree that the September 26, 1997 Board Order is not altered in any way not explicitly expressed in the Stipulation or the First Amendment.
3. For all purposes, a party's signature in a faxed copy of this stipulation shall be deemed the equivalent of a signed original.

AGREED to this \_\_\_\_ day of November, 1997.

DIVISION OF OIL, GAS, AND MINING

by \_\_\_\_\_  
Daniel G. Moquin  
Assistant Attorney General  
for Division of Oil, Gas and Mining

UTAH BUILDING STONE SUPPLY

by \_\_\_\_\_  
William Bown as  
partner with Preston Bown and in his individual capacity

## **MOTION**

The DIVISION and the Bowns request that the Board issue an order consistent with the Stipulation.

## **ORDER**

Having read the JOINT MOTION AND STIPULATION TO SECOND AMENDMENT OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER submitted by the Division of Oil, Gas and Mining ("Division"), and William Bown in the above-referenced matter, for good cause, the Utah Board of Oil, Gas and Mining hereby grants the Motion based on the foregoing Stipulation and adopts the Stipulation as a Board Order.

For all purposes, the Chairman's signature in a faxed copy of this Order shall be deemed the equivalent of a signed original.

SO ORDERED this \_\_\_\_\_ day of November, 1997.

STATE OF UTAH  
BOARD OF OIL, GAS & MINING

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Dave D. Lauriski, Chairman

## CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing JOINT MOTION AND STIPULATION TO SECOND AMENDMENT OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER for Docket No. 97-016, Cause No. M/003/031 to be mailed by first-class mail, postage prepaid, this \_\_\_\_ day of November, 1997, to the following:

William Bown  
Utah Building Stone Supply  
842 West 400 North  
West Bountiful, Utah 84087

Preston Bown  
Utah Building Stone Supply  
842 West 400 North  
West Bountiful, Utah 84087

Mike Ford  
Bureau of Land Management  
Salt Lake District Office  
2370 South 2300 West  
Salt Lake City, Utah 84119

John Blake  
School and Institutional  
Trust Lands Administration  
675 East 500 South, Suite 500  
Salt Lake City, Utah 84102

Sent by Hand Delivery to:

Patrick J. O'Hara  
Assistant Attorney General  
1594 West North Temple, Suite 300  
P.O. Box 140855  
Salt Lake City, UT 84114-0855

Daniel G. Moquin  
Assistant Attorney General  
1594 West North Temple, Suite 300  
P.O. Box 140855  
Salt Lake City, UT 84114-0855

Courtesy Copy to:

Lynn Kunzler, Senior Reclamation Specialist  
Division of Oil, Gas & Mining

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